

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

MARGARET A. ROBISON,

Plaintiff,

vs.

Case No. 2:15-cv-11725
District Judge Avern Cohn
Magistrate Judge Anthony P. Patti

WIXOM GRAND RIVER
ASSOCIATES, L.P.,

Defendant.

/

**ORDER GRANTING DEFENDANT'S *EX PARTE* MOTION TO ALLOW
OUT OF STATE DESIGNATED CORPORATE REPRESENTATIVE TO
APPEAR AT SETTLEMENT CONFERENCE VIA TELEPHONE (DE 37)**

Judge Cohn referred this case to me to conduct a settlement conference, which is currently scheduled for March 22, 2017. (DEs 33, 34, 36.) Currently before the Court is Defendant's March 14, 2017 *ex parte* motion to allow the out of state designated corporate representative to appear at the settlement conference via telephone, which Judge Cohn has referred to me for hearing and determination. (DE 37, DE 39.)

Upon consideration, Defendant's motion is **GRANTED**. To be sure, I ordinarily do not permit telephonic attendance at a settlement conference. Moreover, I agree with Plaintiff that "settlement conferences are more meaningful if all representative parties are present[,]” and that "Defendant has failed to offer good cause for the granting of this motion." (DE 38.) Nonetheless, I acknowledge

Defendant's assertions that it sold Meadowood Park Apartments on December 16, 2013 and dissolved its partnership in 2014 - both of which occurred prior to the May 13, 2015 filing of this lawsuit - and further acknowledge the assertion that its authorized representative is located in Florida. (*See DE 37 ¶¶ 4-6, DE 1.*) The Court is not inclined to order the out of state representative of this particular defunct corporate entity to appear under these circumstances. Indeed, the Court is inclined to preserve whatever limited assets might remain in this defunct entity for use in a possible settlement, rather than toward travel expenses. For these reasons, Defendant's authorized representative may appear at the upcoming settlement conference via telephone but must remain available throughout the proceeding. Plaintiff, Plaintiff's counsel and defense counsel shall appear in person.

IT IS SO ORDERED.

Dated: March 15, 2017

s/Anthony P. Patti

Anthony P. Patti
U.S. MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on March 15, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti